

Message Text

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ACTION L-03

INFO OCT-01 IO-13 ISO-00 CIAE-00 DODE-00 PM-04 H-01 INR-07
NSAE-00 NSC-05 PA-01 PRS-01 SP-02 SS-15 USIA-06 AF-08
ARA-06 EA-07 EUR-12 NEA-10 CPR-01 OC-06 CCO-00 WRD-01
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E.O. 11652: N/A

TAGS: PDIP, PFOR, UNGA

SUBJECT: SIXTH COMMITTEE (LEGAL) -- VIENNA CONVENTION ON
DIPLOMATIC RELATIONS

SUMMARY: ON DEC 7, COMMITTEE BEGAN CONSIDERATION OF ITEM ON
VIENNA CONVENTION ON DIPLOMATIC RELATIONS. SOVIET
INTRODUCED RESOLUTION EXPRESSING CONCERN AT VIOLATIONS
OF THE VIENNA CONVENTION ON DIPLOMATIC RELATIONS, PARTICULARLY
THOSE PROVISIONS CONCERNING DIPLOMATIC COURIER AND POUCH.
RESOLUTION INVITES MEMBER STATES TO SUBMIT THEIR COMMENTS ON
MEANS TO ENSURE THE IMPLEMENTATION OF THE VIENNA CON-
VENTION AND ON THE DESIREABILITY OF ELABORATING THE PRO-
VISIONS CONCERNING THE DIPLOMATIC COURIER; REQUESTS INTERNATIONAL
LAW COMMISSION TO STUDY THESE PROVISIONS; REQUESTS SECRETARY-
GENERAL TO COMPILE A REPORT ON COMMENTS OF STATES AND THE ILC
WORK; AND DECIDES TO INCLUDE THE ITEM IN THE PROVISIONAL
AGENDA OF THE 33RD GA. ELEVEN STATES ADDRESSED COMMITTEE ON
TIEM ON DEC 7. THE NINE WHO SUPPORTED THE RESOLUTION INCLUDED SEVEN
EASTERN COUTRIES, CUBA AND ARGENTINA. US AND NEW ZEALAND OPPOSED
THE RESOLUTION. END SUMMARY.

1. SOVIET UNION TABLED RESOLUTION ON VIENNA CONVENTION
ON DIPLOMATIC RELATIONS ON DEC 7. (TEXT POUCHED STOWE,
L/UNA.) USSR SAID NUMBER OF STATES HAD INDICATED DESIREA-
BBILITY OF INCREASING NUMBER OF SIGNATURES TO VIENNA
CONVENTION. SAID NEVERTHELESS STATES VIOLATED ITS PROVI-
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SIONS. EXPRESSED CONCERN ABOUT VIOLATIONS OF DIPLOMATIC

MAIL AND ATTEMPTS TO MAKE PERSONAL SEARCHES OF DIPLOMATIC COURIERS AT AIRPORTS. SAID PERIOD DISCUSSION AT UNGA WILL INCREASE COMPLIANCE WITH THE CONVENTION. THEREFORE, URGED SECRETARY-GENERAL TO PERIODICALLY SEND QUESTIONNAIRE ON COMPLIANCE TO STATES AND THE REPORT THEREON. ALSO URGED ILC TO STUDY PROVISIONS ON DIPLOMATIC COURIERS. SAID SOVIET RESOLUTION WOULD PROMOTE FRIENDLY RELATIONS AND WOULD ENCOURGE WIDESPREAD ADHERENCE TO VIENNA CONVENTION.

2. ARGENTINA SAID BILATERAL DISCUSSION WERE GOOD WAY TO SETTLE PROBLEMS INVOLVING DIPLOMATIC COURIERS AND POUCH BUT ALSO SAID NEED UNIFORM PROVISIONS. SAID PROTOCOL WAS NEEDED TO UPDATE EXISTING PROVISIONS ON DIPLOMATIC COURIERS. MONGOLIA, BULGARIA, GDR, CZECHOSLOVAKIA, POLAND, CUBA AND UKRAINE DUTIFULLY FOLLOWED RUSSIAN LINE.

3. US STRESSED IMPORTANCE OF VIENNA CONVENTION AND URGED ITS IMPLEMENTATION. SAID VIOLATIONS OF VIENNA CONVENTION COULD MORE EASILY BE ALLEVIATED BY MEANS OF DISPUTE SETTLEMENT PROVISION RATHER THAN NEW PROVISIONS. SAID DISPUTE SETTLEMENT EXISTED IN OPTIONAL PROTOCOL TO VIENNA CONVENTION. URGED THOSE STATES THAT WERE CONCERNED WITH VIOLATIONS OF VIENNA CONVENTION TO BECOME PARTY TO THIS PROTOCOL. DOUBTED UTILITY OF FURTHER STUDY OF THE DIPLOMATIC COURIER AND POUCH PROVISIONS. SAID THAT ONLY 15 STATES RESPONDED TO REQUEST FOR COMMENTS INDICATED LACK OF INTEREST. SAID PAUCITY OF RESPONSES AND LACK OF UNANIMITY IN REPLIES RE REVISION DIPLOMATIC COURIERS PROVISION INDICATED PREMATURE TO INVOLVE ILC. SAID DISCUSSION TO DATE HAD BEEN USEFUL AND THAT IT MIGHT BE USEFUL TO PERIODICALLY LOOK AT VIENNA CONVENTION AND COMPLIANCE THEREWITH BUT NO NEED TO INSCRIBE AGAIN ON PROVISIONAL AGENDA.

4. NEW ZEALAND ASSOCIATED ITSELF WITH APPEAL FOR MORE RATIFICATIONS OF VIENNA CONVENTION. SAID REFERRAL TO ILC OF QUESTION OF DIPLOMATIC COURIER AND POUCH WAS PREMATURE IF FOR NO OTHER REASON BECAUSE OF LIMITED RESPONSES OF STATES. SAID DIVISION OF OPINION IN RESPONSES TO STATES ALSO SUGGESTED ILC SHOULD NOT NOW BE REQUESTED LIMITED OFFICIAL USE

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TO BEGIN WORK. INDICATED STRONG DOUBT AS TO NEED OR UTILITY OF DRAFTING ADDITIONAL PROVISIONS DEALING WITH COURIERS BUT EXPRESSED WILLINGNESS SEE ITEM INSCRIBED ON FUTURE GA AGENDA.

5. IN WEO GROUP MEETING MOST MEMBERS INDICATED INABILITY TO VOTE IN FAVOR CURRENT SOVIET TEXT. SOME INDICATED PREFERENCE TO ABSTAIN; OTHERS THAT THEY WERE UNDECIDED

WHETHER TO ABSTAIN OR VOTE NO. WE PLAN INDICATE TO WEO
GROUP A PREFERENCE FOR A NGEATIVE VOTE. IF WE UNABLE
FIND TWO OR THREE PREPARED JOIN IN NEGATIVE VOTE, WE PLAN
UNLESS INSTRUCTED TO CONTRARY TO ABSTAIN ON TEXT IN
CURRENT FORM SINCE IT DOES NOT INVOLVE POINT OF PRINCIPLE.
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